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Atty. Ref.: 11336/1166 (P00108US)

REMARKS

II. TELEPHONE CONFERENCE

Assignee is grateful to the Examiner for the time spent discussing this Office Action by telephone on December 16, 2005. The discussion focused on several features recited in Claim 12, and the lack of those elements in the asserted *Vilhuber-Huang* combination. The Assignee has restated their view of Claim 12 below.

III. RESPONSE TO OFFICE ACTION

A. Status of the Pending Application

Claims 1-24, 26, 28-43, 45, 47-57 are pending in the application. Claims 25, 27, 44, and 46 have been canceled. Claims 1-4, 7, 9-12, 15-16, 18, 22-23, 28-29, 32-35, 37, 40-42, 47-48, 51-53, and 56-57 stand rejected under 35 U.S.C. § 103(a) as unpatentable over *Vilhuber* (U.S. Patent No. 6,470,453) in view of *Huang* (U.S. Patent No. 6,571,245). Claims 5, 6, 8, 17, 19-21, 24, 26, 30-31, 36, 38-39, 43, 45, 49-50, and 54-55 stand rejected under § 103(a) as unpatentable over *Vilhuber* and *Huang* in view of *London* (U.S. Patent No. 6,061,734). Claim 13 stands rejected under § 103(a) as unpatentable over *Vilhuber* and *Huang* in view of *Dreke et al* (U.S. Patent No. 6,463,471). Claim 14 stands rejected under § 103(a) as unpatentable over *Vilhuber*, *Huang*, and *Dreke*, in view of *Levy* (U.S. Patent Application Pub. No. 2002/0052885).

B. The *Vilhuber-Huang* Combination.

Claims 1-4, 7, 9-12, 15-16, 18, 22-23, 28-29, 32-35, 37, 40-42, 47-48, 51-53, and 56-57 stand rejected under 35 U.S.C. § 103(a) as unpatentable over *Vilhuber* in view of *Huang*. Claim 1 is directed to a method for communicating data including receiving a request from a source device to access a network of devices. The network of devices includes one set of devices that

responds to an associated identifier, and a second set of devices that the source device is not authorized to access. The method determines if the source device is authorized to access the first set of devices based on the source device's identifier, and allows access to the first set of devices if the source identifier matches the first identifier.

The *Vilhuber-Huang* combination is directed to authenticating multiple connections to a network server for a virtual desktop in a virtual computing environment. The Office Action has suggested that the *Vilhuber-Huang* combination discloses the features of claim 1, including determining [i.e. comparing] that the source device is authorized to access the first set of devices based on a correspondence between an identifier of the source device and the associated identifier [*Huang*, fig. 13A-B and col. 14, l. 57- col. 15, l. 67]. Assignee respectfully disagrees.

Even assuming motivation to make the *Vilhuber-Huang* combination, the combination does not disclose a network in which a first set of devices uses a first identifier which is also associated with a source device, and a second set of devices that the source device is not authorized to access. Instead, with the *Vilhuber-Huang* combination, once the user is authorized to access the network access server 104 [*Huang*, Fig. 1], the user has access to the entire network system 108 [*Huang*, Fig. 1], including the network devices 114a-c [*Huang*, Fig. 1]. However, as claimed, the communication method recites allowing communication between the source device and a first set of devices, and not allowing communication between the source device and a second set of devices after determining that the source device is authorized to access the first set of devices. Thus, as claimed, there is no unrestricted access to the second set of devices. In contrast, the *Vilhuber-Huang* combination allows access to *all* devices on the entire network system 108, and the *Vilhuber-Huang* combination does not teach or suggest each element of Claim 1. The independent claims 15, 18, 23, 28, 34, 37, 42, 47, and 53 all recite similar selective

access features which partition network devices into two sets: an authorized access set and an unauthorized access set based on different identifications, noted above with respect to Claim 1. Thus, independent claims 1, 15, 18, 23, 28, 34, 37, 42, 47, and 53 are patentable over *Vilhuber* in view of *Huang*.

The *Vilhuber-Huang* combination also fails to teach or suggest many of the features recited in the dependent claims. As one example, claims 12, 15, 16, 22, 33, 35, 41, 52, and 57 each recite creating a playlist of items on the first set of devices. As another example, claims 12, 22, 33, 41, 52, and 57 further recite adding items to the playlist, and specifically recite that the items include a first item from a first device and a second item from a second device, and the first device and second device are not on a common LAN. The *Vilhuber-Huang* combination does not teach or suggest such features.

The Office Action does not point to any disclosure in the *Vilhuber-Huang* combination that shows creating a *playlist*, or adding items to a playlist, let alone disclosure which advocates adding items from *different devices on different LANs* to a playlist. Instead of a playlist (*i.e.*, a list of playable items that may be downloaded or streamed [specification, first paragraph page 8]), the asserted *Vilhuber-Huang* combination discloses authenticating a client-server network for a virtual desktop in a computer network. In the *Vilhuber-Huang* combination, the network architecture retrieves a static list of virtual desktop items and presents the list to the user after authentication [Huang, col. 4, ll. 31-39; col. 6, ll. 36-39]. The user may access the applications and files in keeping with a virtual desktop environment [Huang, col. 2, ll. 51-52; col. 3, ll. 1-4]. The list of accessible applications, files, and folders is not a *playlist*, however. Furthermore, in direct contrast to the recited subject matter, each item on the *Vilhuber-Huang* combination application list is an item available from a *single* server. Because the *Vilhuber-Huang*

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combination, even if made, does not disclose the subject matter claimed in claims 12, 15, 16, 22, 33, 35, 41, 52, and 57, Assignee respectfully requests withdrawal of the rejection to those claims based on the *Vilhuber-Huang* combination.

Claim 9 notes that "allowing communication" includes transferring items, streaming items, searching for items, and viewing a list of items. The *Vilhuber-Huang* combination does not disclose streaming items. Instead, the *Vilhuber-Huang* combination shows authenticating a client-server network for a virtual desktop in a computer network where the user may search for, view and transfer items from a server. Accordingly, the *Vilhuber-Huang* combination fails to teach or suggest the subject matter of claim 9, and Assignee respectfully requests the Examiner to withdraw the rejection under § 103(a) based on *Vilhuber* in view of *Huang*.

C. The *Vilhuber-Huang-London* Combination.

Claims 5, 6, 8, 17, 19-21, 24, 26, 30-31, 36, 38-39, 43, 45, 49-50, and 54-55 stand rejected under 35 U.S.C. § 103(a) over *Vilhuber* and *Huang* in view of *London*. Claim 5 is directed to receiving, at an intermediate entity, a search request from a source device, forwarding the search request to a first set of devices, and performing searches at the first set of devices. Claim 5 also recites attempting to provide search results from the first set of devices to the source device through direct connections which bypass the intermediate entity, and providing the search results to the source device through the intermediate entity if a direct connection cannot be made. The Office Action suggests that the combination of *Vilhuber*, *Huang*, and *London* discloses an intermediate entity that can provide search results to a source device from a first set of devices via the intermediate entity if direct connections between the source device and the first set of devices cannot be established [Figs. 6-7, col. 9, l. 17- col. 10, l. 48; col. 1, l. 12- col. 2, l. 65]. Assignee respectfully disagrees.

Even assuming motivation to combine the three references, the *Vilhuber-Huang-London* combination does not disclose: 1) performing searches at the first set of devices, 2) attempting to provide search results from the first set of devices to the source device through direct connections which bypass the intermediate entity, or 3) providing the search results to the source device through the intermediate entity if a direct connection cannot be made. Instead, the *Vilhuber-Huang-London* combination discloses authenticating a user connection through a peer server included in a client-server network server architecture. The *Vilhuber-Huang-London* combination only discloses forwarding a request from a user E to a resource B after verifying that the user is authorized to access resource B, through a peer server and proxy server [*London* col. 9, l. 33-col 10, l. 7]. Connections between a user [i.e. source device] on one network must be routed through a proxy server to reach a device or resource [i.e., a first set of devices] on a network of other devices. Therefore, the *Vilhuber-Huang-London* combination does not disclose attempting to provide search results from the first set of devices to the source device through direct connections which bypass the intermediate entity, as claimed, because the only connections between the first set of devices and the source device are connections through an intermediate entity [the proxy server 606 or 711 in *London* Figs. 6-7]. Accordingly, Assignee respectfully requests withdrawal of the rejection. For at least these reasons, and the reasons cited in Section B above, independent claim 45 and dependent claims 5, 6, 8, 17, 19-21, 24, 26, 30-31, 36, 38-39, 43, 45, 49-50, and 54-55 are patentable over *Vilhuber* and *Huang* in view of *London*.

Furthermore, claim 6 is directed to connecting and authenticating a source device in a private network, where the source device has a private address and does not have a globally unique address, and where the target device has a globally unique address and is inaccessible via the Internet. The features of claim 6 allow devices within a device-to-device network to

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communicate with each other using a private address without having to assign a globally unique address, such as a TCP/IP address, and when the devices are not connected to the Internet. This eliminates the need for a central server to assign globally unique addresses or maintain a database of unique device addresses, thereby reducing server burden.

On the other hand, the *Vilhuber-Huang-London* combination discloses authenticating a user access to resources on a client-server network with a peer server to authenticate the user's connections to resources in the network, which may be connected through proxy servers [Figs. 6-7, col. 9, l. 17- col. 10, l. 48; col. 1, l. 12- col. 2, l. 65]. The *Vilhuber-Huang-London* combination does not disclose a source device in a private network, or that the source device has a private address and does not have a globally unique address, or that the target device has a globally unique address and is inaccessible via an Internet. The *Vilhuber-Huang-London* combination is silent on these features, and does not limit the source or target device address or connections in any way. Accordingly, the *Vilhuber-Huang-London* combination does not teach or suggest the features of claim 6, and Assignee respectfully requests withdrawal of the rejection.

Claims 8, 31, 39, 45, 50, and 55 further include the feature of attempting to establish a second connection from the target device to the source device; transferring an item using the second connection if the attempt to establish the second connection was successful; and transferring the item via a proxy if the attempt to establish the second connection was not successful. The claimed features allow a second attempt to transfer items from a target device to a source device if the first connection attempt is unsuccessful, through a second connection attempt. If the second connection attempt is unsuccessful, a proxy server is used to transfer the item. The *Vilhuber-Huang-London* combination does not disclose second connection attempts, transferring items using the second connection if the second connection attempt is successful, or

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transferring an item via a proxy if the second connection attempt is not successful. In fact, the *Vilhuber-Huang-London* combination does not address at all what happens when there is an unsuccessful connection attempt. Thus, even if the *Vilhuber-Huang-London* combination is made, the combination would not disclose all of the features in claims 8, 31, 39, 45, 50, and 55. Therefore, Assignee respectfully requests withdrawal of the rejection of claims 8, 31, 39, 45, 50, and 55

D. The Vilhuber-Huang-Dreke combination.

Claim 13 stands rejected under § 103(a) over *Vilhuber* and *Huang* in view of *Dreke*. Claim 13 recites an additional step of establishing the network of devices without using a server. The Office Action suggests the *Vilhuber-Huang-Dreke* combination discloses establishing a network of devices without using a server [*Dreke*, Fig. 3]. Assignee respectfully disagrees.

The *Vilhuber-Huang-Dreke* combination discloses a method for authenticating and maintaining a distributed network presence information server, in which the user first logs into a server where he may obtain a list of peers of interest. Fig. 3 of *Dreke* actually shows a step in the process after the user logs into an Internet Presence Information Server (IPIS). The user must log into the server before accessing peers directly [Col. 3, l. 20- Col. 4, l. 22]. In other words, the *Vilhuber-Huang-Dreke* combination, even assuming motivation to make the combination, does not teach or suggest eliminating logging into a server before accessing peers in a device network. Thus, even if the *Vilhuber-Huang-Dreke* combination is made, the combination would not disclose all of the claimed features. Therefore, Assignee respectfully requests withdrawal of the rejection of claim 13.

E. The Vilhuber-Huang-Dreke-Levy combination.

Claim 14 stands rejected under § 103(a) as being unpatentable over *Vilhuber, Huang, and Dreke* in view of *Levy*. Claim 14 recites broadcasting from first, second, and third devices; listening for other devices by the first, second, and third devices; and establishing and authenticating connections between the first, second, and third devices. The features of claim 14 allow devices in a device-to-device network to broadcast their presence, and establish a network without requiring an intermediate server to connect the devices. The Office Action suggests the *Vilhuber-Huang-Dreke-Levy* combination discloses all the features of claim 14 [page 3, paragraph 0033]. Assignee respectfully disagrees.

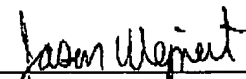
The *Vilhuber-Huang-Dreke-Levy* combination discloses a distributed network of devices using auxiliary data embedded in files to enhance file sharing systems. The cited portion of *Levy* refers to computers broadcasting their event logs to each other. For example, *Levy* discloses “[i]n distributed systems where no central server is involved, the event logs [of file transfers] can be stored on computers in the file sharing network (or a subset of the computers), and composite event logs can be compiled by having the computers broadcast their event logs to each other. Each computer, in this approach, could maintain a copy of the event log, which is synchronized upon each broadcast operation.” [page 3, paragraph 0033]. Thus, the *Vilhuber-Huang-Dreke-Levy* combination does not teach or suggest establishing and authenticating connections based on device-to-device broadcasts. Instead, the *Vilhuber-Huang-Dreke-Levy* combination simply broadcasts log files to various computers on the network. Accordingly, Assignee respectfully requests the Examiner to withdraw the rejection under § 103(a) based on *Vilhuber, Huang, and Dreke* in view of *Levy*.

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F. Summary

Assignee respectfully submits that the pending claims are patentable, and requests withdrawal of the pending rejections and allowance of the claims. The Examiner is invited to contact the undersigned Attorney for Assignee via telephone if the Attorney can answer any of the Examiner's questions, comments, or concerns.

Respectfully submitted,



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Dated: December 21, 2005